

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
WESTERN DIVISION

John B. Stevens,

Case No. 3:05CV7264

Plaintiff

v.

ORDER

Toledo Police Dep't, et al.,

Defendant

This is a pro se prisoner civil rights suit in which the plaintiff has filed a motion for leave to file a second amended complaint. He filed that motion after the Lucas County defendants had filed their motion to dismiss. Their motion to dismiss was granted in part and denied in part.

Plaintiff's Fourth Amendment claims against individual Toledo police officers and, in part, his Eighth Amendment claims against some county defendants have survived motions to dismiss. I conclude that there are neither grounds nor necessity for allowing him again to file an amended complaint. At some point a plaintiff's definition of his claims – even when those claims are framed by a pro se litigant – has to be deemed final.

That point has been reached in this case. It is, therefore,

ORDERED THAT plaintiff's motion for leave to file a second amended complaint be, and the same hereby is denied.

So ordered.

s/James G. Carr  
James G. Carr  
Chief Judge